

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHARNELL HORNE,

Plaintiff,

v.

CITY OF SEATTLE,

Defendant.

CASE NO. C06-607-MJP-MJB

REPORT AND
RECOMMENDATION

Plaintiff is proceeding *pro se* and *in forma pauperis* in this action pursuant to 42 U.S.C. § 1981. On June 1, 2006, Plaintiff filed an amended complaint in this court, alleging discrimination and fraud by Defendant. On November 24, 2006, this Court issued an Order directing Plaintiff to properly serve Defendant with the amended complaint and appropriate summons as required under Fed. R. Civ. P. 4(j)(2) and make proof of service to the Court, or to show cause why this action should not be dismissed without prejudice for failure to timely effect service.¹ (Dkt. #23). To date, Plaintiff has neither made proof of proper service nor responded to the Court's order to show cause, and she has not requested an extension of time in which to do so.

¹Plaintiff had previously been advised by the Court that she had not effected proper service of the summons and complaint on Defendant in an order denying Plaintiff's motion for default, issued on July 19, 2006. (Dkt. #18 at 2).

1 Accordingly, the undersigned recommends dismissal of this case pursuant to Fed.
2 R. Civ. P. 41(b) for failure to effect proper service and failure to comply with the
3 Court's
4 November 2006 show cause order. A proposed Order accompanies this Report and
5 Recommendation.

6 DATED this 29th day of January, 2007.

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9 MONICA J. BENTON
10 United States Magistrate Judge
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